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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,681	01/24/2000	Branko Kovacevic	0100.9901420	6134

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EXAMINER

PHAN, MAN U

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PR2

Office Action Summary

Application No.
09/489,681

Applicant(s)
Kovacevic et al.

Examiner
Man Phan

Art Unit
2665



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 24, 2000
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 19, and 20 is/are rejected.
- 7) ☒ Claim(s) 10-18 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jan 24, 2000 is/are ☒ accepted or ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: ☐ approved ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1. The application of Kovacevic et al. for a "Method for displaying data" filed 01/24/2000 has been examined. Claim 1-20 are pending in the application.

Specification

2. The disclosure is objected to because of the following informalities: In pages 1-2, the status of related application information need to be updated.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were

made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto (US#6,414,954) in view of Teichmer (US#6,380,991).

With respect to claim 1, Miyamoto disclose a transport demultiplexor hardware for demultiplexing an MPEG-2 compliant transport stream in according to the essential features of claim 1; the method comprising the steps of: determining a new packet identifier (PID) in response to the splice indicators. In other words, when a splicing point is detected between group of packets, a new PID is generated to replace the present PID value with the next PID value (Fig. 2; Col. 2, lines 41-55).

However, Miyamoto does not expressly disclose the step of detecting a first splice indicator and second splice indicator in MPEG-2 transport stream. Teichmer discloses a method of splicing video in MPEG-2 transport streams comprising the steps of identifying a first splice point at an anchor frame in a first video stream, and identifying a second splice point at an anchor frame in a second video stream (Col. 1, lines 33-40).

Regarding claims 2-4, Miyamoto teaches in Fig. 2 illustrated a block diagram of a picture processing system, includes loading the new PID into a shadow register (next register) after the step of determining and before the step of loading; and the step of using

the new PID further comprises loading the contents of the shadow register into a main register, or using the shadow register as the main register (Col. 3, lines 19-34).

Regarding claims 6 and 7, Miyamoto further teaches the step of detecting the splice indicators includes the sub step of generating the splice interrupts, and the step of determining a new PID occurs in response to the splice interrupts (Col. 1, line 52 to Col. 2, line 11).

Regarding claims 8 and 9, Teichmer further teaches a method for splicing MPEG-2 transport streams based upon locally available data, in which the first and second splice indicator represent different occurrences of a common event, wherein the common event is the assertion of a splice point (Col. 1, lines 37-46).

One skilled in the art would have recognized the need for effectively and efficiently splicing MPEG-2 transport streams using transport packet demultiplexer hardware, and would have applied Teichmer's teaching of the identifying splicing points in a video transport stream into Miyamoto's novel use of a picture processing for processing a transport stream. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Teichmer's method for splicing MPEG-2 transport streams into Miyamoto's picture processing system and method with the motivation being to provide a method for displaying data in an MPEG-2 video stream.

6. Claims 5 and 19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto (US#6,414,954) in view of Teichmer (US#6,380,991) as applied to the

claim 1 above, and further in view of Chen et al. (US#5,917,830).

With respect to claim 5, Miyamoto and Teichmer disclose a transport demultiplexor hardware for demultiplexing an MPEG-2 compliant transport stream as described in paragraph 5 above. Miyamoto and Teichmer do not disclose the step of detecting the splice indicator using an adaptation field parser portion of the transport packet demultiplexer hardware. In the same field of endeavor, Chen et al. discloses a method for splicing a secondary packetized data stream with a primary packetized data stream, in which the splice point data includes the splice-related adaptation field data illustrated in Figs. 7a-d. (Col. 17, lines 26-40).

Regarding claim 19, Chen further teaches using the new PID in response to the second splice indicator when the new PID is associated with a first program type (Col. 22, lines 8-31).

Regarding claim 20, Chen teaches the splicing compressed packetized digital video stream wherein the first program type is mutually exclusive from a second program type, and the second program type is commercials (See the Abstract).

One skilled in the art would have recognized the need for effectively and efficiently splicing MPEG-2 transport streams using transport packet demultiplexer hardware, and would have applied Chen's detecting the splice indicator using an adaptation field parser, and Teichmer's teaching of the identifying splicing points in a video transport stream into Miyamoto's novel use of a picture processing for processing a transport stream. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Chen's splicing compressed

packetized digital video streams, and Teichmer's method for splicing MPEG-2 transport streams into Miyamoto's picture processing system and method with the motivation being to provide a method for displaying data in an MPEG-2 video stream.

Allowable Subject Matter

7. Claims 10-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is an examiner's statement of reasons for the indication of allowable subject matter: The prior art of record fails to disclose or suggest the determining the new packet identifier when, in response to detecting the first splice indicator it is determined that a first splice state has been encountered, wherein the first splice state is based upon a first splice countdown value parsed by the transport parsed by the transport packet demultiplexer hardware, and further includes the first splice countdown value being a positive value, as specifically recited in claims 10, 11; the using the new packet identifier in response to the second splice indicator, when, in response to detecting the second splice indicator it is determined that a second splice state has been encountered, wherein the second splice state is based upon a second splice countdown value parsed by the transport packet demultiplexer hardware, and further includes the second splice countdown value being a zero value, the first splice countdown value being

a positive value, as specifically recited in claims 12-14. The prior art of record also fails to disclose or suggest the step of detecting a third splice indicator using transport packet demultiplexer hardware, requesting acquisition of a current program management table in response to the third splice indicator; requesting acquisition of a current program management when, in response to detecting the third splice indicator, it is determined that a third splice state has been countered, wherein the third splice state is based upon a third splice countdown value parsed by the transport packet demultiplexer hardware, and includes the first splice countdown value being a negative value, as specifically recited in claims 15-18.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Balakrishnan et al. (US#5,982,436) is cited to show the method for seamless splicing an a video encoder.

The Chauvel et al. (US#6,226,291) is cited to show the transport stream packet parser system.

The Perkins et al. (US#5,859,660) is cited to show the non-seamless splicing of audio-video transport streams.

The Anderson et al. (US#6,275,507) is cited to show the transport demultiplexor for an MPEG-2 compliant data stream.

The Anderson et al. (US#6,356,567) is cited to show the embedded clock recovery and difference filtering for an MPEG-2 compliant transport stream.

The Rim et al. (US#5,841,472) is cited to show the MPEG-2 transport decoder.

The Aaker et al. (US#6,067,303) is cited to show the method and apparatus for detecting and controlling data stream splicing an ATM networks.

The Hurst, Jr. et al. (US#6,141,358) is cited to show the method and apparatus for aligning sub-stream splice points in an information stream.

The Hurst, Jr. (US#6,038,000) is cited to show the information stream syntax for indicating the presence of a splice point

The Movshovich et al. (US#6,434,146) is cited to show the use of sequencing information in a local header that allows proper synchronization of packets to subsidiary interfaces within the post-processing environment of an MPEG-2 packet demultiplexing architecture.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (703)305-1029. The examiner can normally be reached on Mon - Fri from 6:30 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703)305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9314, (for formal communications intended for entry)

Or: (703) 305-3988 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Mphan

02/15/2003.

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